

## **Racial and Ethnic Disparities Issue Team**

The Coordinating Council on Juvenile Justice's Racial and Ethnic Disparities (RED) Team was tasked with developing an issue paper to explore how Federal legislation, policies, and practices function as barriers to effectively addressing racial and ethnic disparities across multiple systems – primarily education, child welfare, juvenile justice, and their relationship to youths' socioeconomic status – and provide recommendations of how to mitigate and/or reduce disparities.

### **Information Collection Activities**

The RED Issue Team met on a regular basis, approximately once per month, from March through August 2010. The draft issue paper submitted by the RED Team is based on discussions at Team meetings, a literature review, discussions with systems' stakeholders, and comments from the public.

### **Team Process and Internal Discussions**

As a result of lengthy discussion, the RED Issue Team recognized that although progress that has been made on disproportionate minority contact (DMC) in juvenile justice as the result of the Juvenile Justice and Delinquency Prevention Act disproportionality in juvenile justice and other related systems (i.e. child welfare and education) appears to be increasing nationally. The RED Issue Team also recognized that youths' socioeconomic status, particularly poverty, is a contributing factor to racial and ethnic disparities. Thus, the Team began to think about this issue along a continuum: impoverished minority youth are more likely to be referred by schools to the child welfare system and the juvenile justice system thus causing disproportionality and racial and ethnic disparities as their socioeconomic status is often highly correlated with low academic achievement, school attachment, higher rates of abuse and/or neglect, and delinquency.

Based on this continuum the RED Issue Team developed recommendations affecting other social systems or agencies that may serve as precursors to the intervention of the juvenile justice system. The draft recommendations, therefore, reflect the Teams approach in that they are presented by improvements and progress that can be made within the different systems along the continuum – housing, education, child welfare and juvenile justice.

### **Selected Preliminary Recommendations**

As a result of the Federal laws and policies reviewed, the RED Team recommends the following that include but are not limited to:

- HUD should provide guidance to public housing authorities (PHAs) to clarify statutory and regulatory requirements regarding tenant admissions and eviction policies in relation to criminal history or activity. The guidance would clarify policies that are discretionary on the part of PHAs, and which provisions are statutory or regulatory requirements.

- In the case of regulatory requirements, HUD should re-evaluate its own discretionary authority. In the case of statutory requirements HUD could work with the relevant Congressional Committees to evaluate provisions that might be amended or repealed. This would build on previous HUD policy consideration, particularly associated with the Prisoner Re-Entry Initiative and related policies.
- More strategies for reducing the school to prison pipeline. Effective strategies could lead to more collaboration between OJJDP and ED to address this issue, particularly around monitoring, and providing technical assistance and guidance.
- Require child welfare systems to track the experience of various populations of youth in group care (by race, gender, age) overall and by group facility to determine juvenile justice involvement.
- Expand the range of educational opportunities to ensure educational continuity and a pathway to high school graduation or GED attainment and that special education services are provided to children and youth identified as at-risk for and currently involved with juvenile justice.
- Strengthen the statutory core requirements for States in addressing disproportionate contact with the JJ system. Based on the specificity of SB 678 and HR 6029, the Coordinating Council on Juvenile Justice should support the immediate reauthorization of the JJDP Act of 1974, as amended.
- Establish a permanent commission composed of child welfare, education, juvenile justice, Housing and Urban Development (HUD), and others to further examine how Federal legislation, policies, and practices functions as barriers to addressing racial and ethnic disparities across multiple systems.